

2003 DRAFTING REQUEST**Bill**Received: **06/09/2003**Received By: **rnelson2**Wanted: **Today**

Identical to LRB:

For: **DuWayne Johnsrud (608) 266-3534**By/Representing: **Scott L**This file may be shown to any legislator: **NO**Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Johnsrud@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exemption from hunting license if hunting deer in disease zone

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/P1	rnelson2 07/07/2003	wjackson 07/09/2003	jfrantze 07/09/2003	_____	lemery 07/09/2003		State
/P2	rnelson2 12/17/2003	wjackson 12/22/2003	pgreensl 12/22/2003	_____	sbasford 12/22/2003		State

LRB-2820

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P3	rnelson2 01/07/2004	wjackson 01/08/2004	jfrantze 01/09/2004	_____	sbasford 01/09/2004		State
/1	rnelson2 01/15/2004	wjackson 01/19/2004	rschluet 01/20/2004	_____	lemery 01/20/2004	mbarman 01/21/2004	

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4 Nij 1/19

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Jf 1/9 *Jb 1/9*

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1p3 wlj 1/8

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PS/KC

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1/?	rnelson2	1/Pl WLj 7/9	7/9	7/9			

FE Sent For:

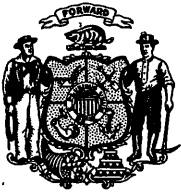
<END>

This too would be a reward-based system. We would not be using a contract for services or a bounty system. In theory, there would be no need for indemnification with a reward system. At first blush, it would appear to be relatively easy to implement. And, using this year as an example, we would only need to track the names of landowners and hunters who killed 200 deer, vs. 12000. The administration savings alone would be huge – 200 checks versus 12,000 checks.

- **Could be (SHOULD BE) retroactive** – If we felt a sense of obligation (which I do) to reward those that have cooperated thus far by shooting a positive deer, we have hunter name and landowner name for each positive deer shot over the last year. Secretary Hassett could kick off the program with a retroactive payment to hunters and landowners at a cost of a little less than \$200,000 (only \$500 would be paid out to hunters who shot deer on DNR land or to landowners who had deer shot by agency shooters). Imagine this scene – a media event, perhaps in Mount Horeb, where Secretary Hassett personally hands out checks to hunters and landowners, thanking them for their support this past year. Such an event sends a very clear message that the Department values the cooperation of landowners and hunters, that such cooperation is critical, AND that we are absolutely serious about our intentions to fight this disease in Wisconsin. We are not backing away from this goal and we are putting our money where our mouth is.
- **Would be an incentive for landowners to offer access** – The split in payment between landowner and hunter could serve as an incentive to landowners who live in a high probability area to allow access to their property to kill deer, whether by agency shooters or hunters.
- **Virtually eliminates the opportunity for fraud** – A consistent criticism of the incentive payment was the huge opportunity for fraud. There was fear that people would be able to shoot deer outside the zone and bring them into the zone in order to receive payment. By paying only for positive deer, we virtually eliminate the opportunity for fraud. The protocol for confirming positives outside of the EZ includes hunter/landowner interviews by LE to confirm location. For each deer shot we know who shot it and on whose land they shot it.

3. Authorize as follows, “the Department may require any person to provide to them disease sample tissue or disease sample data derived from wild animals in Wisconsin, if needed by the Department to determine the existence or extent of disease in wild animals in Wisconsin.

4. Authorize as follows, “the Department may exempt all deer hunters from deer hunting license requirements when hunting in areas of wildlife disease as designated by the Department”. Also repeal the prohibition against issuing deer hunting licenses during the firearm deer season in s. 29.569(2)(b), Stats.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2820/P1

RPN:/:....
WLj

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

GEN

1 AN ACT ...; relating to: allowing the hunting of deer in a chronic wasting disease
(2) eradication zone without a deer hunting approval^{and granting rule-making authority}

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 29.063 (3)[↓] of the statutes is created to read:
4 29.063 (3) The department may exempt deer hunters from obtaining an
5 approval under this chapter[↓] for the hunting of deer in an area that the department
6 has designated as a chronic wasting disease eradication zone. The department shall
7 by rule establish the method for determining who may hunt deer without a deer
(8) hunting approval under this subsection[↓] and how^a the deer hunter registers and
9 disposes of any deer killed in that area.

1 **SECTION 2.** 29.089 (3) of the statutes is amended to read:

2 29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state
3 park, or in a portion of a state park, if the department has authorized by rule the
4 hunting of that type of game in the state park, or in the portion of the state park, and,
5 except as provided in s. 29.063 (3), if the person holds the approvals required under
6 this chapter for hunting that type of game.

History: 1989 a. 214; 1997 a. 237; 1997 a. 248 s. 599; Stats. 1997 s. 29.089; 2001 a. 109.

7 **SECTION 3.** 29.301 (3) of the statutes is amended to read:

8 29.301 (3) BACK TAG, DISPLAY. No Except as provided under s. 29.063 (3), no
9 person may hunt deer unless the back tag issued to the person with the license
10 authorizing deer hunting is attached to the center of the person's coat, shirt, jacket
11 or similar outermost garment where it can clearly be seen.

History: 1975 c. 360, 365, 421; 1979 c. 39; 1997 a. 151; 1997 a. 248 s. 412; Stats. 1997 s. 29.301; 1999 a. 32.

12 **SECTION 4.** 29.301 (2) of the statutes is amended to read:

13 29.301 (2) COLOR OF CLOTHING. In the areas in which there is a season for the
14 hunting of deer with firearms, and in a chronic wasting disease eradication zone
15 where deer hunting is allowed under s. 29.063 (3) without an approval, no person
16 may hunt any game except waterfowl during that season or in that zone unless at
17 least 50% of each article of the person's outer clothing above the waist, including a
18 cap, hat or other head covering, is of a highly visible color commonly referred to as
19 hunter orange, blaze orange, fluorescent orange, flame orange or fluorescent blaze
20 orange. Any person violating this subsection shall forfeit not more than \$10.

History: 1975 c. 360, 365, 421; 1979 c. 39; 1997 a. 151; 1997 a. 248 s. 412; Stats. 1997 s. 29.301; 1999 a. 32.

21 **SECTION 5.** 29.361 (6) of the statutes is created to read:

22 29.361 (6) Any person may transport a deer lawfully killed in a chronic wasting
23 disease eradication zone where deer hunting is allowed under s. 29.063 (3) without

1 an approval if the deer is registered and disposed of as provided by rule under s.
 2 29.063 (3).[✓]

3 **SECTION 6.** 29.569 (2) (b) [✓] of the statutes is repealed.

****NOTE: I am not sure why you asked to have this statute repealed. This does not seem necessary in this draft because hunters will be able to hunt under s. 29.063 (3) without an approval.

4 **SECTION 7.** 29.569 (2) (c) (title) [✓] of the statutes is amended to read:

5 29.569 (2) (c) (title) ~~Exceptions~~ Exception.

6 **History:** 1997 a. 248 ss. 170, 171, 173, 176, 177, 178, 180, 182, 187; 2001 a. 77, 109.

SECTION 8. 29.569 (2) (c) 1. [✓] of the statutes is repealed.

7 **SECTION 9.** 29.569 (2) (c) 2. [✓] of the statutes is renumbered 29.569 (2) (c).[✓]

8 **SECTION 10.** 29.569 (2) (c) 3. [✓] of the statutes is repealed.

9 **SECTION 11.** 29.971 (11) [✓] of the statutes is amended to read:

10 29.971 (11) For hunting deer without the required approval, during the closed
 11 season, with the aid of artificial light or with the aid of an aircraft, except as provided
 12 in s. 29.063 (3) [✓] or 29.307 (2), for the snaring of or setting snares for deer, or for the
 13 possession or control of a deer carcass in violation of s. 29.055 or 29.347, by a fine of
 14 not less than \$1,000 nor more than \$2,000 or by imprisonment for not more than 6
 15 months or both. In addition, the court shall order the revocation of all approvals
 16 issued to the person under this chapter and shall prohibit the issuance of any new
 17 approval under this chapter to the person for 3 years.

History: 1975 c. 365 ss. 45, 50; 1979 c. 34, 150, 175, 190, 355; 1981 c. 20, 236, 243, 391; 1983 a. 27; 1983 a. 80 s. 9; 1983 a. 114 s. 9; 1983 a. 192, 209, 419, 520, 538; 1985 a. 29, 36, 270, 271, 272, 289, 332; 1987 a. 379; 1989 a. 190, 336; 1991 a. 39, 269; 1993 a. 137; 1995 a. 59, 79; 1997 a. 1, 27; 1997 a. 248 ss. 714 to 722; Stats. 1997 s. 29.971; 1997 a. 283 ss. 20 to 23; 1999 a. 9, 32; 2001 a. 56, 108, 109.

(END)

insert 3-2

Section #. 29.569 (2) (a) of the statutes is amended to read:

29.569 (2) (a) *Archer hunting license; issuance after the beginning of the open season for hunting deer.* Except as provided in par. (c) ~~2.~~^{plain comma}, a resident archer hunting license, a nonresident archer hunting license, a resident conservation patron license or a nonresident conservation patron license issued during the open season for the hunting of deer with a bow and arrow does not authorize hunting until 3 days after it is issued, excluding the date of issuance.

History: 1997 a. 248 ss. 170, 171, 173, 176, 177, 178, 180, 182, 187; 2001 a. 77, 109.



DuWayne Johnsrud

December 15, 2003 **State Representative**

TO: Robert Nelson
FROM: Scott Loomans *SL*
SUBJECT: LRB 2820/P1

A couple of changes for this bill are marked up on the attached copy.

Tim Andryk at DNR has asked my boss to make these. You could contact him at 264-9228 with questions if they don't sound right to you.

Section 1.

In line one, page 2, DNR prefers to use the term "intensive harvest zone" because that term refers to the road boundaries that DNR uses to describe hunting areas. DNR would like to delete lines 2, 3, and 4 because they believe they already have that authority. They do want to add the following language to Section 1.:

Deer hunters that are exempted shall be at least 12 years of age, shall comply with age restrictions in s. 29.301 and shall comply with requirements for a certificate of accomplishment under s. 29.593.

Sections 3 & 5.

Tim Andryk also suggests omitting Sections 3 and 5 because they think that they already have that authority.

Lastly, Senator Kedzie has our permission to access LRB 2820 to introduce a companion bill or for any purpose.

intensive harvest
v

1 has designated as a chronic wasting disease eradication zone. The department shall
2 ~~by rule establish the method for determining who may hunt deer without a deer~~
3 ~~hunting approval under this subsection and how a deer hunter registers and~~
4 ~~disposes of any deer killed in that area.~~ substitute attached language

5 SECTION 2. 29.089 (3) of the statutes is amended to read:

6 29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state
7 park, or in a portion of a state park, if the department has authorized by rule the
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10 this chapter for hunting that type of game.

11 SECTION 3. 29.301 (2) of the statutes is amended to read.

12 29.301 (2) COLOR OF CLOTHING. In the areas in which there is a season for the
13 hunting of deer with firearms, and in a chronic wasting disease eradication zone
14 where deer hunting is allowed under s. 29.063 (3) without an approval, no person
15 may hunt any game except waterfowl during that season or in that zone unless at
16 least 50% of each article of the person's outer clothing above the waist, including a
17 cap, hat or other head covering, is of a highly visible color commonly referred to as
18 hunter orange, blaze orange, fluorescent orange, flame orange or fluorescent blaze
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22 person may hunt deer unless the back tag issued to the person with the license
23 authorizing deer hunting is attached to the center of the person's coat, shirt, jacket
24 or similar outermost garment where it can clearly be seen.

25 SECTION 5. 29.361 (6) of the statutes is created to read:

1 29.361 (6) Any person may transport a deer lawfully killed in a chronic wasting
2 disease eradication zone where deer hunting is allowed under s. 29.063 (3) without
3 an approval if the deer is registered and disposed of as provided by rule under s.
4 ~~29.063 (3).~~

5 **SECTION 6.** 29.569 (2) (a) of the statutes is amended to read:

6 29.569 (2) (a) *Archer hunting license; issuance after the beginning of the open*
7 *season for hunting deer.* Except as provided in par. (c) ~~2~~, a resident archer hunting
8 license, a nonresident archer hunting license, a resident conservation patron license
9 or a nonresident conservation patron license issued during the open season for the
10 hunting of deer with a bow and arrow does not authorize hunting until 3 days after
11 it is issued, excluding the date of issuance.

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14 29.569 (2) (c) (title) ~~Exceptions~~ Exception.

15 **SECTION 9.** 29.569 (2) (c) 1. of the statutes is repealed.

16 **SECTION 10.** 29.569 (2) (c) 2. of the statutes is renumbered 29.569 (2) (c).

17 **SECTION 11.** 29.569 (2) (c) 3. of the statutes is repealed.

18 **SECTION 12.** 29.971 (11) of the statutes is amended to read:

19 29.971 (11) For hunting deer without the required approval, during the closed
20 season, with the aid of artificial light or with the aid of an aircraft, except as provided
21 in s. 29.063 (3) or 29.307 (2), for the snaring of or setting snares for deer, or for the
22 possession or control of a deer carcass in violation of s. 29.055 or 29.347, by a fine of
23 not less than \$1,000 nor more than \$2,000 or by imprisonment for not more than 6



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2820/PA

RPN:wlj:fr

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

repeal

1 AN ACT *to repeal* 29.569 (2) (b), 29.569 (2) (c) 1. and 29.569 (2) (c) 3.; *to renumber*
2 29.569 (2) (c) 2.; *to amend* 29.089 (3), 29.301 (2), 29.301 (3), 29.569 (2) (a),
3 29.569 (2) (c) (title) and 29.971 (11); and *to create* 29.063 (3) and 29.361 (6) of
4 the statutes; **relating to:** allowing the hunting of deer in a chronic wasting
5 disease *intensive harvest* ~~eradication~~ zone without a deer hunting approval ~~and granting~~
6 *rule-making authority*

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For further information see the **state** fiscal estimate, which will be printed as
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insert 2-4
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29.301 (3) BACK TAG, DISPLAY. ~~No~~ Except as provided under s. 29.063 (3), no person may hunt deer unless the back tag issued to the person with the license authorizing deer hunting is attached to the center of the person's coat, shirt, jacket or similar outermost garment where it can clearly be seen.

SECTION 5. 29.361 (6) of the statutes is created to read:

1 ~~29.361 (6) Any person may transport a deer lawfully killed in a chronic wasting~~
2 ~~disease eradication zone where deer hunting is allowed under s. 29.063 (3) without~~
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4 ~~29.063 (3).~~

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***NOTE: I am not sure why you asked to have this statute repealed. This does not seem necessary in this draft because hunters will be able to hunt under s. 29.063 (3) without an approval.

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22 possession or control of a deer carcass in violation of s. 29.055 or 29.347, by a fine of
23 not less than \$1,000 nor more than \$2,000 or by imprisonment for not more than 6

1 months or both. In addition, the court shall order the revocation of all approvals
2 issued to the person under this chapter and shall prohibit the issuance of any new
3 approval under this chapter to the person for 3 years.

4 (END)

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2820/P2ins
RPN:wlj:jf

- 1 insert 2-4:
2  Deer hunters that are exempted under this subsection shall be at least 12 years
3 of age.

****NOTE: I did not add the language about complying with the age restrictions under s. 29.304 (not 29.301) or the certificate of accomplishment because those are just a few of the requirements that a person must follow when hunting. Mentioning only those restrictions and not the others, ^{e.g.} clothing color, may imply that the person is not required to comply with all of those other requirements. This subsection only exempts a person from obtaining an approval. It is not an exemption ~~him or her~~ from all of the various rules and statutes regulating hunting.

Nelson, Robert P.

From: Loomans, Scott
Sent: Monday, December 29, 2003 12:54 PM
To: Nelson, Robert P.
Subject: LRB 2820/2

We have a couple more requests on LRB 2820.

- ✓ Your note in Section 1: In order to require that people born after 1973 have completed hunter safety, Tim Andryk says that we do need to include a cross-reference with the hunter education certificate of accomplishment (29.593 1. a.) because the only place that the certificate is otherwise required is as a condition for buying a license.
- ✓ Note in Section 5: We'd like to keep that repeal. DNR has asked us to let them sell licenses during the season in parts of the state that aren't CWD management areas because seasons are often longer than 9-days now.
- ✓ DNR would like rule authority to exempt people from tagging requirements under 29.347 (2). Currently, the tags that hunters have to put on deer are usually attached to the license so DNR would have to figure something else out or just drop the requirement entirely - but we could let them figure that out by rule.
- ✓ Tim Andryk doesn't think that Section 10 is needed. I double checked with Mark P. on that one and he agrees that the requirement of an approval in SECTION 1 of the draft makes it unnecessary to add an exemption from the penalty for hunting without the required approval in SECTION 10.

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Am; 29.347(2)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2820/P2

RPN:wlj: *3*

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

repeal

1 AN ACT *to repeal* 29.569 (2) (b), 29.569 (2) (c) 1. and 29.569 (2) (c) 3.; *to renumber*
2 29.569 (2) (c) 2.; *to amend* 29.089 (3), 29.301 (3), 29.569 (2) (a), 29.569 (2) (c)
3 (title) and 29.971 (11); and *to create* 29.063 (3) of the statutes; relating to:
4 allowing the hunting of deer in a chronic wasting disease intensive harvest zone
5 without a deer hunting approval.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.
For further information see the **state** fiscal estimate, which will be printed as
an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

6 SECTION 1. 29.063 (3) of the statutes is created to read:
7 29.063 (3) The department may exempt deer hunters from obtaining an
8 approval *from displaying a back tag under so 29.0301 (3) and* in an area that the department
9 has designated by rule as a chronic wasting disease intensive harvest zone. Deer
10 hunters that are exempted under this subsection shall be at least 12 years of age

except that a person born on or after January 1, 1973, may not hunt deer under this subsection unless he or she complies with so 29.05930

from attaching a deer tag under so 29.047 (2)

*should I require that the department
promulgate rules to create these exemptions?*

***NOTE: I did not add the language about complying with the age restrictions under s. 29.304 (not 29.301) or the certificate of accomplishment because those are just a few of the requirements that a person must follow when hunting. Mentioning only those restrictions and not the others, e.g., clothing color, may imply that the person is not required to comply with all of those other requirements. This subsection only exempts a person from obtaining an approval. It is not an exemption from all of the various rules and statutes regulating hunting.

1 **SECTION 2.** 29.089 (3) of the statutes is amended to read:

2 29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state
3 park, or in a portion of a state park, if the department has authorized by rule the
4 hunting of that type of game in the state park, or in the portion of the state park, and,
5 except as provided in s. 29.063 (3), if the person holds the approvals required under
6 this chapter for hunting that type of game.

7 **SECTION 3.** 29.301 (3) of the statutes is amended to read:

8 29.301 (3) **BACK TAG, DISPLAY.** No Except as provided under s. 29.063 (3), no
9 person may hunt deer unless the back tag issued to the person with the license
10 authorizing deer hunting is attached to the center of the person's coat, shirt, jacket
11 or similar outermost garment where it can clearly be seen.

12 **SECTION 4.** 29.569 (2) (a) of the statutes is amended to read:

13 29.569 (2) (a) *Archer hunting license; issuance after the beginning of the open*
14 *season for hunting deer.* Except as provided in par. (c) 2., a resident archer hunting
15 license, a nonresident archer hunting license, a resident conservation patron license
16 or a nonresident conservation patron license issued during the open season for the
17 hunting of deer with a bow and arrow does not authorize hunting until 3 days after
18 it is issued, excluding the date of issuance.

19 **SECTION 5.** 29.569 (2) (b) of the statutes is repealed.

20 ***NOTE: I am not sure why you asked to have this statute repealed. This does not
 seem necessary in this draft because hunters will be able to hunt under s. 29.063 (3)
 without an approval.

20 **SECTION 6.** 29.569 (2) (c) (title) of the statutes is amended to read:

29.569 (2) (c) (title) *Exceptions Exception.*

SECTION 7. 29.569 (2) (c) 1. of the statutes is repealed.

SECTION 8. 29.569 (2) (c) 2. of the statutes is renumbered 29.569 (2) (c).

SECTION 9. 29.569 (2) (c) 3. of the statutes is repealed.

SECTION 10. 29.971 (11) of the statutes is amended to read:

~~29.971 (11) For hunting deer without the required approval, during the closed season, with the aid of artificial light or with the aid of an aircraft, except as provided in s. 29.063 (3) or 29.307 (2), for the snaring of or setting snares for deer, or for the possession or control of a deer carcass in violation of s. 29.055 or 29.347, by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not more than 6 months or both. In addition, the court shall order the revocation of all approvals issued to the person under this chapter and shall prohibit the issuance of any new approval under this chapter to the person for 3 years.~~

(END)

**2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2820/P3ins
RPN:wlj:pg

1 insert 2-~~6~~:

2 **SECTION** ~~4~~ [#] 29.347 (2) of the statutes is amended to read:

3 29.347 (2) DEER OR ELK CARCASS TAGS. Except as provided under sub. (5) and ~~6~~ ↓

4 ^{ss.}
 [^] 29.063 (3) and 29.324 (3), any person who kills a deer shall immediately attach to the

5 ear or antler of the deer a current validated deer carcass tag which is authorized for
6 use on the type of deer killed. Any person who kills an elk shall immediately attach
7 to the ear or antler of the elk a current validated elk carcass tag. Except as provided
8 under sub. (2m) or s. 29.063 (3) [✓] or 29.89 (6), no person may possess, control, store,
9 or transport a deer carcass unless it is tagged as required under this subsection.
10 Except as provided under sub. (2m), no person may possess, control, store, or
11 transport an elk carcass unless it is tagged as required under this subsection. A
12 person who kills a deer or elk shall register the deer or elk in the manner required
13 by the department. The carcass tag may not be removed before registration. The
14 removal of a carcass tag from a deer or elk before registration renders the deer or elk
15 untagged.

NOTE: NOTE: Sub. (2) is shown as affected by two acts of the 2001 legislature and as merged by the revisor under s. 13.93 (2)(c) NOTE:

History: 1975 c. 97, 199; 1983 a. 546; 1991 a. 269, 316; 1995 a. 79, 126; 1997 a. 248 s. 504; Stats. 1997 s. 29.347, 1999 a. 9, 2001 a. 10, 2001 s. 13.93 (2)(c)

Nelson, Robert P.

From: Loomans, Scott
Sent: Tuesday, January 13, 2004 2:05 PM
To: Nelson, Robert P.
Subject: LRB 2820

OK, I'm going to quit showing this draft to the DNR so that we can at least get it introduced for a hearing! Anyway, they found another cross-reference that looks like it should be made.

In 29.177 (1) Special deer hunting permits - the DNR wants to add "unless exempted under 29.063". That makes sure that DNR can still issue permits even if no license is required.

Thanks again,

Scott Loomans
Office of Representative Johnsrud
(608) 266-3534 or toll free 888-534-0096
*For news and information about the 96th Assembly
District and Natural Resources Committee, go to:
www.repjohnsrud.com*

Nelson, Robert P.

From: Loomans, Scott
Sent: Monday, January 12, 2004 5:01 PM
To: Nelson, Robert P.
Subject: LRB 2820/P3

OK, just three things and we are ready to introduce this.

Page 1, line 2, spelling of "deer"

Page 2, lines 1 and 2 - DNR wants to add "or herd reduction zone" and we agree with that.

✓ Page 2, Note - Yes. DNR suggests something like "The department may specify eligibility requirements by rule, including the need for a free permit."

Thanks much,

No license - ad permit

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8806 1/19/17
State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2820/P8

RPN:wlj:jf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Reger

1 AN ACT *to repeal* 29.569 (2) (b), 29.569 (2) (c) 1. and 29.569 (2) (c) 3.; *to renumber*
2 29.569 (2) (c) 2.; *to amend* 29.089 (3), 29.301 (3), 29.347 (2), 29.569 (2) (a) and
3 29.569 (2) (c) (title); and *to create* 29.063 (3) of the statutes; **relating to:**

4 ~~allowing the hunting of~~ deer in a chronic wasting disease intensive harvest zone ^{or herd reduction}
5 without a deer hunting ~~approval~~ ^{license and the receipt of a} deer hunting license during ^{an} open
~~season~~ ^{season for hunting deer} and

ins. and
Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.
For further information see the *state* fiscal estimate, which will be printed as
an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do
enact as follows:

6 SECTION 1. 29.063 (3) of the statutes is created to read:

7 29.063 (3) The department may exempt deer hunters from obtaining ^a
8 ~~approval~~ ^{license} under this chapter for the hunting of deer, from displaying a back tag under
9 s. 29.301 (3), and from attaching a ~~deer~~ tag under s. 29.347 (2) in an area that the

Deer

department has designated by rule as a chronic wasting disease intensive harvest zone ^{or herd reduction zone} Deer hunters that are exempted under this subsection shall be at least 12 years of age, except that a person born on or after January 1, 1973, may not hunt deer under this subsection unless he or she complies with s. 29.593. ^{INSERT 2-4 ✓}

****NOTE: should I require that the department promulgate rules to create these exemptions?

SECTION 2. 29.089 (3) of the statutes is amended to read:

29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state park, or in a portion of a state park, if the department has authorized by rule the hunting of that type of game in the state park, or in the portion of the state park, and, except as provided in s. 29.063 (3), if the person holds the approvals required under this chapter for hunting that type of game.

INSERT 2-16

SECTION 3. 29.301 (3) of the statutes is amended to read:

29.301 (3) BACK TAG, DISPLAY. No Except as provided under s. 29.063 (3), no person may hunt deer unless the back tag issued to the person with the license authorizing deer hunting is attached to the center of the person's coat, shirt, jacket or similar outermost garment where it can clearly be seen.

SECTION 4. 29.347 (2) of the statutes is amended to read:

29.347 (2) DEER OR ELK CARCASS TAGS. Except as provided under sub. (5) and s. ss. 29.063 (3) and 29.324 (3), any person who kills a deer shall immediately attach to the ear or antler of the deer a current validated deer carcass tag which is authorized for use on the type of deer killed. Any person who kills an elk shall immediately attach to the ear or antler of the elk a current validated elk carcass tag. Except as provided under sub. (2m) or s. 29.063 (3) or 29.89 (6), no person may possess, control, store, or transport a deer carcass unless it is tagged as required

1 under this subsection. Except as provided under sub. (2m), no person may possess,
2 control, store, or transport an elk carcass unless it is tagged as required under this
3 subsection. A person who kills a deer or elk shall register the deer or elk in the
4 manner required by the department. The carcass tag may not be removed before
5 registration. The removal of a carcass tag from a deer or elk before registration
6 renders the deer or elk untagged.

7 **SECTION 5.** 29.569 (2) (a) of the statutes is amended to read:

8 29.569 (2) (a) *Archer hunting license; issuance after the beginning of the open*
9 *season for hunting deer.* Except as provided in par. (c) 2., a resident archer hunting
10 license, a nonresident archer hunting license, a resident conservation patron license
11 or a nonresident conservation patron license issued during the open season for the
12 hunting of deer with a bow and arrow does not authorize hunting until 3 days after
13 it is issued, excluding the date of issuance.

14 **SECTION 6.** 29.569 (2) (b) of the statutes is repealed.

15 **SECTION 7.** 29.569 (2) (c) (title) of the statutes is amended to read:

16 29.569 (2) (c) (title) ~~*Exceptions*~~ *Exception.*

17 **SECTION 8.** 29.569 (2) (c) 1. of the statutes is repealed.

18 **SECTION 9.** 29.569 (2) (c) 2. of the statutes is renumbered 29.569 (2) (c).

19 **SECTION 10.** 29.569 (2) (c) 3. of the statutes is repealed.

20 (END)

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2820/1ins
RPN:wlj:jf

insert anl:

Resources

Under current law, a person must have a valid deer hunting license to obtain a permit to hunt deer. In addition, the person is required to wear a back tag while hunting and to attach a deer tag to any deer killed during the deer hunt. This bill allows the department of natural (DNR) to exempt deer hunters in chronic wasting disease intensive harvest or herd reduction zones from having a deer hunting license, wearing a back tag, or tagging a deer killed in the hunt. The bill requires DNR to promulgate a rule that establishes eligibility criteria and application procedures for receipt of an exemption from those requirements.

Currently, no deer hunting license, sports license, or conservation patron license may be issued during the open season for the hunting of deer, except to an active member of the U.S. armed forces or a person who becomes 12 years of age during the open season. This bill repeals that prohibition.

1 insert 2-4:



2 The department shall by rule establish eligibility criteria and application
3 procedures for receipt of an exemption under this subsection, including a method for
4 obtaining a permit to hunt deer without a license under this subsection.

5
6 insert 2-10:

7 **SECTION** [#]_h 29.177 (1) of the statutes is amended to read:

8 29.177 (1) ISSUANCE. The department may issue a hunter's choice deer hunting
9 permit, a deer hunting party permit or other special deer hunting permit to a person
10 with a valid deer hunting license who applies for the permit and to a person who is
11 exempt from obtaining a deer hunting license under s. 29.063 (3) who applies for a
12 permit.

Emery, Lynn

From: Loomans, Scott
Sent: Wednesday, January 21, 2004 11:13 AM
To: LRB.Legal
Subject: Draft review: LRB 03-2820/1 Topic: Exemption from hunting license if hunting deer in disease zone

It has been requested by <Loomans, Scott> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 03-2820/1 Topic: Exemption from hunting license if hunting deer in disease zone